

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

THE NAVAJO NATION, et al.,

Plaintiffs,

vs.

Civ. No. 12-195 BB/LAM

URBAN OUTFITTERS, INC., et al.,

Defendants.

ORDER DENYING DEFENDANTS' MOTION TO LIMIT DAMAGES TO INITIAL
WAGNER REPORT

Defendants move to limit the items on which Plaintiffs can seek damages under the Indian Arts and Crafts Act ("IACA") to those items identified in the October 2014 report of Plaintiffs' damages expert, Judith Wagner. By failing to sufficiently identify the suppliers of their goods, Defendants made it impossible for Plaintiffs' expert to identify all of the goods that violated the IACA.

Allowing Defendants to limit Plaintiffs' damages to those items identified before the Court was forced to grant a motion to compel Defendants to identify all such suppliers would reward Defendants for their failure to abide by the discovery rules.

Defendants' Motion for Partial Summary Judgment to Limit Plaintiffs' Claim Under the Indian Arts and Crafts Act [Doc. 347] is DENIED.

IT IS SO ORDERED.


SENIOR UNITED STATES DISTRICT JUDGE